

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

UNITED STATES OF AMERICA	)	
	)	
v.	)	2:06cr122-MEF
	)	
CALVIN CHANCE	)	

**ORDER**

\_\_\_\_\_ The defendant appeared before the court on 31 July 2006 to enter his plea of guilty, however, because of a late amendment to his plea agreement, his entry of a plea was postponed. The court is advised that the defendant is now prepared to enter his plea.

In previous change of plea proceedings, various counsel for defendants and the United States have consistently been dilatory in completing negotiations, submitting plea agreements, preparing defendants for their allocution, securing signed consent forms, and securing defendants' signatures on plea agreements. The court's management of its criminal caseload, and particularly its plea docket, has been substantially compromised by counsel's failure to be fully prepared at plea hearings,<sup>1</sup>

\_\_\_\_\_ <sup>1</sup>All Assistant United States Attorneys, federal defenders, and panel attorneys are, or should be, fully aware of the following: (1) final consent days are set one week before the beginning of the applicable trial term; (2) attorneys may request special settings for the early entry of guilty pleas; (3) the only pleas accepted after that date are those that are not entered pursuant to Rule 11(c)(1)(C); (4) on consent days, the Magistrate Judges set plea hearings on a fixed schedule: Judge McPherson - 9:00 a.m., Judge Boyd - 11:00 a.m., Judge Coody - 1:00 p.m., and Judge Walker - 3:00 p.m.; and (5) the court expects counsel to be sensitive to its management of the use of the interpreter to maximize her usefulness to all of the judges.

and the court now finds it necessary to include specific directives in this order.

Accordingly, it is ORDERED as follows:

1. The defendant, CALVIN CHANCE, shall appear with counsel before the undersigned Magistrate Judge on 5 September 2006 at 9:00 a.m. in Courtroom 5A, Frank M. Johnson, Jr. Federal Building and United States Courthouse Complex, One Church Street, Montgomery, Alabama, to enter a change of plea.
2. Counsel shall submit the plea agreement to the court no later than noon on the Friday before the final consent date on Monday, and, if the consent date is specially set, no later than 48 hours before the change of plea proceeding.
3. Before the date of the proceeding, defense counsel shall confer with the defendant to ascertain his full understanding of the plea agreement, if applicable, and to secure his execution of the consent form (a copy of which is attached) and the plea agreement. Counsel shall tender the executed form and original plea agreement to the Clerk of the court before the change of plea proceeding commences. During their conference, counsel shall also ascertain the defendant's allocution, his understanding of the elements of the offense, and the requirement that a full admission to the elements be recited at the proceeding - including

the quantity of drugs, if applicable.

The Clerk is directed to provide a court reporter for this proceeding. If the defendant is in custody, the United States Marshal or the person having custody of the defendant shall produce the defendant for this proceeding.

DONE this 1<sup>st</sup> day of August, 2006.

/s/ Vanzetta Penn McPherson  
VANZETTA PENN MCPHERSON  
UNITED STATES MAGISTRATE JUDGE